

FILED



9:05 am, 4/13/20

U.S. Magistrate Judge

STATEMENT OF RIGHTS

ENTRY OF PLEA

You may plead guilty or not guilty to any or all charges filed against you in this matter. If you plead not guilty, the government must prove your guilt beyond a reasonable doubt at a trial. If any witnesses testify against you, you have the right to cross-examine those witnesses. You also have the right to present evidence in your defense and the right to choose whether or not you want to testify; you cannot be made to testify against your will. If you choose not to testify, thereby exercising your right to remain silent, the court will draw no inference as to your guilt or innocence.

If you plead guilty, you are admitting all the essential elements against you. There will be no trial and you will give up your right to confront and cross-examine witnesses. If convicted, a defendant who is not a United States citizen may be removed from the United States, denied citizenship, and denied future admission into the United States.

RIGHT TO MAKE MITIGATING STATEMENTS

If you plead guilty, you have a right to make mitigating statements to explain the circumstances leading to your arrest, which may lessen certain penalties at sentencing.

THE RIGHT TO APPEAL

In the event you plead not guilty before the Magistrate Judge and are subsequently convicted, you have the right to appeal the conviction to the United States District Court within fourteen (14) days from the entry of judgment against you by filing written notice thereof with the Clerk of Court.

CONSENT TO PROCEED BY VIDEO TELECONFERENCE OR TELEPHONE

If applicable, and by signing this document, you consent to an arraignment and sentencing to occur by video teleconference or telephone. FED. R. CIV. P. 43(b)(2).

I hereby acknowledge I have read the foregoing Statement of Rights and fully understand them.

Dated this 10 day of April, 2020 . /s/ Donny Scott Cunningham
Signature of Defendant

Mark L. Carman
United States Magistrate Judge